



RCE/1645
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Atty. Dkt. No. 018792-0580

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hossein A. GHANBARI, et al.

Title: COMPOSITIONS CONTAINING BACTERIOPHAGES AND METHODS OF USING BACTERIOPHAGES TO TREAT INFECTIONS

Appl. No.: 09/583,738

Examiner: Virginia Allen Portner

Filing Date: 05/31/2000

Art Unit: 1645

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Commissioner for Patents
Box RCE
Washington, D.C. 20231

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

Enclosed are:

- Petition for Two-Month Extension of Time (1 page).
- Submission Under 37 C.F.R. §1.114(c) (6 pages).
- Check No. 28047 in the amount of \$634.00 is enclosed for the filing, Petition for Extension of Time and excess claims fees.

The filing fee is calculated below:

Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e)			\$750.00	\$750.00
Total Claims: 34	28	= 6 X	\$18.00 =	\$108.00
Independents: 2	2	= 0 X	\$84.00 =	\$0.00
First presentation of any Multiple Dependent Claims:		+ \$280.00	=	\$0.00
		Claims and Filing Fee Total:	=	\$858.00
		Small Entity Fees Apply (subtract ½ of above):	=	(\$429.00)
		TOTAL FEE:	=	\$429.00

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[X] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

[]	Extension for response filed within the first month:	\$110.00	\$0.00
[X]	Extension for response filed within the second month:	\$41000	\$410.00
[]	Extension for response filed within the third month:	\$930.00	\$0.00
[]	Extension for response filed within the fourth month:	\$1450.00	\$0.00
[]	Extension for response filed within the fifth month:	\$1970.00	\$0.00
	EXTENSION FEE TOTAL:		\$410.00
	CLAIMS, PETITION, AND EXTENSION FEE TOTAL:		\$1268.00
[X]	Small Entity Fees Apply (subtract ½ of above):		\$634.00
	TOTAL FEE:		\$634.00

[X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date April 4, 2003

FOLEY & LARDNER
Customer Number: 22428



22428

PATENT TRADEMARK OFFICE
Telephone: (202) 672-5509
Facsimile: (202) 672-5399

By Liz Premer (48,124)
RW

Michele M. Simkin
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